

REMARKS

The Official Action of September 19, 2008, has been carefully reviewed. The claims in the application are now claims 2-10, 12-14, 16-18, 20, 21, 23-26, 28, 29, 31-33 and 36-40, and **all of the claims should now be in condition for allowance consistent with what is stated in the Official Action.** Accordingly, applicant respectfully request favorable consideration and early formal allowance.

The Office action summary says that the specification is objected to, but the body of the Office Action gives no reasons for any such objection. In the absence of an explanation, applicant cannot respond. As no explanation appears, applicant assumes that the reference in the Office Action summary to an objected to specification is incorrect and was inadvertently made.

Acknowledgement by the PTO of the receipt of Applicant's papers filed under Section 119 is noted.

Applicant hereby affirms the previously made oral election. Only claim 22 was withdrawn from consideration as being directed to non-elected subject matter, and claim 22 has

now been deleted without prejudice to applicant's rights,
including those rights provided by Sections 121, 120 and 119.

Claim 1 has been rejected under Section 102 as
anticipated by Ellis USP 6,549,289. Applicant need not
address this rejection at the present time in view of the
deletion above of claim 1 without prejudice. Applicant
respectfully reserves the right to pursue claim 1 or similar
subject matter in a continuing application without any penalty
whatsoever, if applicant chooses to do so, applicant in such a
case relying on applicant's rights including those provided by
Sections 120 and 119.

Claims 2-10, 12-18, 20, 21, 24-26, 28-33 and 36-40
have been allowed. Applicant understands that these claims
are deemed by the PTO to not only meet the requirements of
Sections 102 and 103, but also those of Sections 112 and all
other requirements for patentability, and applicant is
proceeding in reliance thereof.

For the record, however, claims 15 and 30 were
previously cancelled. Applicant understands that if these
claims were pending they would be allowable, and the subject
matter thereof is in any event covered by the claims from
which claims 15 and 30 previously depended.

Claim 23 is not mentioned in the Office action. However, claim 23 is pending and depends from and incorporates the subject matter of allowed claim 21. Accordingly, applicant understands that claim 23 should also be in condition for formal allowance.

The prior art documents of record and not relied upon by the PTO have been noted, along with the implication that such documents are deemed by the PTO to be insufficiently material to warrant their application against any of applicant's claims.

Applicant believes that all issues raised in the Official Action have been addressed above in a manner that should lead to patentability of the present application. Favorable consideration and early formal allowance are respectfully requested.

Respectfully submitted,

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